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09/934,059	08/21/2001	Sujit V. Gaikwad	1100.1119101 (H0001511)	7383

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EXAMINER

PEREZ DAPLE, AARON C

ART UNIT	PAPER NUMBER
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2121

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DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

24

# Office Action Summary

Application No.

09/934,059

Applicant(s)

GAIKWAD ET AL.

Examiner

Aaron C Perez-Daple

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 8/21/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitation set forth in line 2 of claim 2, "without using a model of the process," does not further limit claim 1, which specifies on line 2 the limitation, "to control a process towards a target loop transfer function," because the target loop transfer function is representative of the process and its selection is based upon at least a basic process model, as presented by applicant on page 9 of the disclosure.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, applicant does not enable the limitation "without using a model of the process" in the disclosure. As presented by applicant on page 8 of the specification, G is the transfer function representative of the process 30 being controlled and constitutes a model of the process. Applicant has not demonstrated the significance of equation 5 (e.g. equation 5 should be representative of an

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error of the process) nor the equivalency of equations 5 and 6, presented on page 11 of the specification and necessary to directly tune the PID controller without using a model of the process. Furthermore, the target loop transfer function is representative of the process and its selection is based upon at least a basic process model, as presented by applicant on page 9 of the disclosure.

For the purpose of applying prior art, the Office interprets "without a model of the process" to mean "without requiring any structural information about the process dynamics other than knowledge of whether the process is self-regulating."

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 21-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As per claim 21, it is not clear what is being minimized. For the purposes of applying prior art, the Office assumes that equation 6, presented on page 11 of the disclosure, is being minimized. The Office notes that claim 21 does not include the error term, represented in equation 6 as "e." However, the Office will assume that the error term is included when applying prior art.
6. As dependent claims, claims 22-24 suffer from the same deficiencies as claim 21.
7. The term "towards" in claims 1 and 25-27 is a relative term which renders the claims indefinite. The term "towards" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

For the purpose of applying prior art, the Office interprets “towards a target loop transfer function” to mean that the controller is being tuned such that either the process response or the total system response approaches a target transfer function.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-12, 14-20 and 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishikawa et al (Nishikawa et al., “A Method for Auto-Tuning of PID Control Parameters”, *Automatica*, vol. 20, no. 3, pp. 321-332, 1984.) (hereinafter Nishikawa).

As for claims 1 and 25, Nishikawa discloses a method and a tuning device for determining one or more new gains for a controller while the controller continues to control a process towards a target loop transfer function [Section 4.1, pgs. 325-326, “First, we summarize...without the derivate of J proposed by Zangwill (1967).”], the controller receiving a process output signal [x, Fig. 3] and a process set point signal [R, Fig. 3] and providing a process input control signal [Fig. 3], the method comprising the steps of:

introducing a disturbance into the process input control signal [pg. 323, “In contrast with these...desires to apply it.”];

calculating one or more new gains for the controller using a controller output signal, the process input control signal, and the target loop transfer function [Section 3.2, pgs. 324-325, “The closed-loop procedure...is omitted here.”]; and

using the one or more new gains in the controller to subsequently control the process

[Section 1, pgs. 321-322, "In the last few years...gives some concluding remarks."].

10. As for claim 2, Nishikawa discloses the method of claim 1, wherein the one or more new gains for the controller are determined without using a model of the process [Section 2, "A tuning procedure...have no interaction."].
11. As for claim 3, Nishikawa discloses the method of claim 1, wherein said gains include a proportional gain [Table 4, pg. 327; Section 4.3, pgs. 326-328, "To overcome the...for the PID control."].
12. As for claim 4, Nishikawa discloses the method of claim 1, wherein said gains include an integral gain [Table 4, pg. 327; Section 4.3, pgs. 326-328, "To overcome the...for the PID control."].
13. As for claim 5, Nishikawa discloses the method of claim 1, wherein said gains include a derivative gain [Table 4, pg. 327; Section 4.3, pgs. 326-328, "To overcome the...for the PID control."].
14. As for claim 6, Nishikawa discloses the method of claim 1, wherein the target loop transfer function is indicative of a desired response of the process [Section 4.1, pgs. 325-326, "First, we summarize...without the derivate of J proposed by Zangwill (1967)."].
15. As for claim 7, Nishikawa discloses the method of claim 6, wherein the target loop transfer function is a first-order transfer function [Section 2, "A tuning procedure...because the actions of P, I and D have no interaction."].
16. As for claim 8, Nishikawa discloses the method of claim 6, wherein the target loop transfer function is a second-order transfer function [Section 2, "A tuning

procedure...because the actions of P, I and D have no interaction.”; Section 4.2, “Let us examine...the control of real processes.”]

17. As for claim 9, Nishikawa discloses the method of claim 1, wherein the process is controlled within a desired closed-loop control bandwidth [Section 3.2, pgs. 324-325, “The closed-loop procedure...is omitted here.”].
18. As for claim 10, Nishikawa discloses the method of claim 9, wherein the desired closed-loop control bandwidth is indicative of a desired settling time for the process [Fig. 4, Section 3.2, pgs. 324-325, “The closed-loop procedure...is omitted here.”].
19. As for claim 11, Nishikawa discloses the method of claim 9, wherein the desired closed-loop control bandwidth is indicative of a time constant for the process [Fig. 4, Section 3.2, pgs. 324-325, “The closed-loop procedure...is omitted here.”].
20. As for claim 12, Nishikawa discloses the method of claim 1, wherein the disturbance includes one or more step changes [pg. 324, “Figure 3 shows a block diagram...of  $x(t)$  and  $y(t)$ , respectively.”].
21. As for claim 14, Nishikawa discloses the method of claim 1, wherein the disturbance includes a white noise signal that is band-pass filtered and clipped [N, Fig. 1].
22. As for claim 15, Nishikawa discloses the method of claim 1, wherein the disturbance is introduced into the controller output signal causing a response in the process input control signal [Fig. 3; pg. 324, “Figure 3 shows a block diagram...of  $x(t)$  and  $y(t)$ , respectively.”].
23. As for claim 16, Nishikawa discloses the method of claim 1, wherein the controller uses one or more new gains to produce the controller output signal [Table 4, pg. 327; Section 4.3, pgs. 326-328, “To overcome the...for the PID control.”].

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24. As for claim 17, Nishikawa discloses the method of claim 16, wherein the controller output signal comprises a proportional error [pg. 327; Section 4.3, pgs. 326-328, "To overcome the... for the PID control."].
25. As for claim 18, Nishikawa discloses the method of claim 16, wherein the controller output signal comprises an integral error [Table 4, pg. 327; Section 4.3, pgs. 326-328, "To overcome the... for the PID control."].
26. As for claim 19, Nishikawa discloses the method of claim 16, wherein the controller output signal comprises a derivative error [Table 4, pg. 327; Section 4.3, pgs. 326-328, "To overcome the... for the PID control."].
27. As for claim 20, Nishikawa discloses the method of claim 1, wherein the process input control signal is the sum of the controller output and the disturbance [Fig. 3; pg. 324, "Figure 3 shows a block diagram... of  $x(t)$  and  $y(t)$ , respectively."].
28. As for claims 26 and 27, Nishikawa discloses a method and a tuning device for determining one or more new gains for a controller while the controller continues to control a process towards a target loop transfer function [Section 4.1, pgs. 325-326, "First, we summarize... without the derivate of J proposed by Zangwill (1967)."], the controller receiving a process output signal [ $x$ , Fig. 3] and a process set point signal [ $R$ , Fig. 3] and providing a controller output signal [ $y$ , Fig. 3], the method comprising the steps of:
- introducing a disturbance into the controller output signal causing a response in a process input control signal [pg. 323, "In contrast with these... desires to apply it."];



calculating one or more new gains for the controller using the controller output signal, the response in the process input control signal, and the target loop transfer function [Section 3.2, pgs. 324-325, "The closed-loop procedure...is omitted here."]; and

using the one or more new gains in the controller to subsequently control the process [Section 1, pgs. 321-322, "In the last few years...gives some concluding remarks."].

29. Claims 1, 2, 7-11 and 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al (Wang et al., "New frequency-domain design method for PID controllers", IEE Proc.-Control Theory Appl., vol. 142, no. 4, July 1995.) (hereinafter Wang).

As for claims 1 and 25, Wang discloses a method and a tuning device for determining one or more new gains for a controller while the controller continues to control a process towards a target loop transfer function [Section 3.1, "Our objective is...guaranteed to be small."], the controller receiving a process output signal [y, Fig. 1] and a process set point signal [r, Fig. 1] and providing a process input control signal [Fig. 1], the method comprising the steps of:

introducing a disturbance into the process input control signal [d, Fig. 1];

calculating one or more new gains for the controller using a controller output signal, the process input control signal, and the target loop transfer function [Section 3.1, "Our objective is...guaranteed to be small."]; and

using the one or more new gains in the controller to subsequently control the process [Section 3.1, "Our objective is...guaranteed to be small."].

30. As for claim 2, Wang discloses the method of claim 1, wherein the one or more new gains for the controller are determined without using a model of the process [Section 1, "From our point of view...found in the literature."]
31. As for claim 7, Wang discloses the method of claim 6, wherein the target loop transfer function is a first-order transfer function [Section 2, "One of the most common... via  $\tau=T/\alpha$ ."].
32. As for claim 8, Wang discloses the method of claim 6, wherein the target loop transfer function is a second-order transfer function [Section 2, "One of the most common... via  $\tau=T/\alpha$ ."].
33. As for claim 9, Wang discloses the method of claim 1, wherein the process is controlled within a desired closed-loop control bandwidth [Section 2.2, "Suppose that the process...response in the control signal."].
34. As for claim 10, Wang discloses the method of claim 9, wherein the desired closed-loop control bandwidth is indicative of a desired settling time for the process [Section 3.2, "It is known that... assumed to be known."].
35. As for claim 11, Wang discloses the method of claim 9, wherein the desired closed-loop control bandwidth is indicative of a time constant for the process [Section 3.2, "It is known that... assumed to be known."].
36. As for claims 26 and 27, Wang discloses a method and a tuning device for determining one or more new gains for a controller while the controller continues to control a process towards a target loop transfer function [Section 3.1, "Our objective is...guaranteed to be small."], the controller receiving a process output signal [y, Fig. 1] and a process set point

signal [r, Fig. 1] and providing a controller output signal [Fig. 1], the method comprising the steps of:

introducing a disturbance into the controller output signal causing a response in a process input control signal [d, Fig. 1];

calculating one or more new gains for the controller using the controller output signal, the response in the process input control signal, and the target loop transfer function [Section 3.1, "Our objective is...guaranteed to be small."]; and

using the one or more new gains in the controller to subsequently control the process [Section 3.1, "Our objective is...guaranteed to be small."].

### ***Claim Rejections - 35 USC § 103***

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

38. Claim 13 is rejected under 35 U.S.C. 103(a) as being obvious over Wang in view of Stoddard et al (US 5,895,596) (hereinafter Stoddard). Although obvious to one of ordinary skill in the art, Wang does not specifically teach the use of a disturbance comprising a pseudo random binary sequence. However, Stoddard teaches the use of a disturbance comprising a pseudo random binary sequence [cols. 8-9, In a characterization control...implemented in statespace form."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang by using a pseudo random binary sequence as the disturbance in order to allow for reliable identification of control parameters in a thermal reactor and for design simplicity, as taught by Stoddard [cols. 10-11, "The identification or characterization... outputs are measured."].

39. Claims 13 is rejected under 35 U.S.C. 103(a) as being obvious over Wang in view of Grassi (E. Grassi, "Proportional-Integral-Derivative Controller Tuning by Frequency Loop-Shaping," Ph.D. dissertation, Arizona State University, December 1999.) (hereinafter Grassi).

Wang does not specifically teach the use of a disturbance comprising a pseudo random binary sequence. However, Grassi teaches the use of a disturbance comprising a pseudo random binary sequence [pgs. 29-30, "Good input signal... drift in the output occurs."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang by using a pseudo random binary sequence as the disturbance in order to provide the excitation required to tune the controller parameters, as taught by Grassi [pgs. 29-30, "Good input signal... drift in the output occurs."].

40. Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Wang in view of Ho et al (US 5,587,899) (hereinafter Ho). Although obvious to one of ordinary skill in the art, Wang does not specifically teach the use of a disturbance comprising a white noise signal that is band-pass filtered and clipped. However, Ho discloses the use of a band-pass clipped white noise signal [col. 8, "However, if a set point... impulse signal, or white noise."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang by using a white noise signal that is band-pass filtered and clipped as the disturbance in order to measure and tune the system response to noise similar to what may occur during system operation.

41. Claim 21 is rejected under 35 U.S.C. 103(a) as being obvious over Wang in view of Grassi et al (Grassi et al, "PID Controller Tuning by Frequency Loop-Shaping," Proc. 35<sup>th</sup> Conference on Decision and Control, Japan, December 1996.) (hereinafter Grassi II).

As for claim 21, although obvious to one of ordinary skill in the art, Wang does not specifically teach minimization of applicant's equation 6. However, Grassi II teaches the minimization of an equivalent expression to applicant's equation 6 [Section 2.3, "The tuning of the...with a suitable initialization."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang by minimizing an expression for the error between the desired closed loop response and actual closed loop response, such as applicant's equation 6, in order to find an optimal tuning of the controller gains, as taught by Grassi II [Section 2.3, "The tuning of the...with a suitable initialization."].

42. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being obvious over Wang in view of Grassi II and in further view of Nishikawa.

As for claim 22, although obvious to one of ordinary skill in the art, Wang and Grassi II do not specifically teach the use of a recursive least squares technique. However, Nishikawa discloses the use of a recursive least squares technique [Sections 4.1-4.3, "First, we summarize...for the PID control."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang and Grassi II by using a recursive least squares technique to minimize the error between the desired closed loop response and actual closed loop response, as taught by Nishikawa [Sections 4.1-4.3, "First, we summarize...for the PID control."].

43. As for claim 23, Wang and Grassi II do not specifically teach the method of claim 21, wherein the sum total is minimized by curve fitting said sum total using recursive least squares techniques. However, Nishikawa teaches a method similar to claim 21, wherein the sum total is minimized by curve fitting said sum total using recursive least squares techniques [Sections 4.1-4.3, "First, we summarize...for the PID control."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang and Grassi II to minimize an expression for the error (e.g. the sum total) by curve fitting using a recursive least squares technique, as taught by Nishikawa [Sections 4.1-4.3, "First, we summarize...for the PID control."].

44. As for claim 24, Wang and Grassi II do not specifically teach the method of claim 23 wherein the least squares technique constraint comprises positive values for the one or more new gains for the controller. However Nishikawa teaches a method similar to that of claim 23 wherein the least squares technique constraint comprises positive values for the one or more new gains for the controller [Sections 4.1-4.3, "First, we summarize...for the PID control."].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wang and Grassi II by using a least squares technique constraint

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comprising positive values for one or more new gains for the controller, as taught by Nishikawa, because positive gains are often required to optimize the system response.

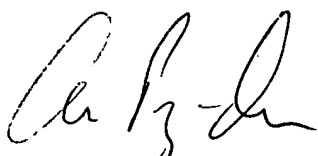
***Conclusion***

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Panagopoulos et al, "Design of PID Controllers Based on Constrained Optimization," Proc. of the American Control Conf., California, June 1999; US 6,330,484, note figure 4; US 5,748,467, note cols. 5-6; US 4,539,633, note cols. 5-6; US 4,549,123, note recursive least squares algorithm.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron C Perez-Daple whose telephone number is (703)305-4897. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri can be reached on (703)305-0282. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



Aaron Perez-Daple  
July 25, 2003

7/25/03



ANIL KHATRI  
PRIMARY EXAMINER